

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

**TYLER LINDSEY, Individually and on
Behalf of Others Similarly Situated**

PLAINTIFF

vs.

No. 5:16-cv-458-FB

SCHLUMBERGER TECHNOLOGY CORPORATION

DEFENDANT

MOTION FOR CLERK'S ENTRY OF DEFAULT

COMES NOW Plaintiff Tyler Lindsey, individually and on behalf of all others similarly situated, by and through his attorney Josh Sanford of the Sanford Law Firm, PLLC, and for his Motion for Clerk's Entry of Default against Defendant Schlumberger Technology Corporation, respectfully states and alleges as follows:

1. On May 19, 2016, Plaintiff filed his Original Complaint—Collective Action ("Complaint") against Defendant Schlumberger Technology Corporation ("Defendant"). ECF No. 1.
2. On May 27, 2016, Plaintiff served the Complaint, along with a copy of the Summons issued herein, via personal service on Defendant's registered agent for service. See ECF No. 6.
3. Pursuant to Rule 12(a) of the Federal Rules of Civil Procedure, Defendant was required to have filed and served his Answer to Plaintiff's Complaint by no later than June 17, 2016.

4. As of the filing of this Motion for Clerk's Entry of Default, no responsive pleading, motion to dismiss, or any other item whatsoever has been filed herein by or on behalf of Defendant.

5. Similarly, no such document has been served on Plaintiff's counsel.

6. No extension of any kind has been granted to Defendant by counsel for Plaintiff.

6. Defendant is a corporation and is by category not an infant or an incompetent person, and is not in active military service.

7. Defendant is in default and the Clerk should enter Defendant's default as mandated by Rule 55(a) of the Federal Rules of Civil Procedure.

8. Local Rule 7(d) does not apply to this Motion, as the party's whose interest is involved have not entered an appearance in this case.

WHEREFORE, premises considered, Plaintiff Tyler Lindsey, individually and on behalf of all others similarly situated, respectfully requests that the Clerk enter the default of Defendant Schlumberger Technology Corporation, as set forth herein above; for attorney's fees and costs incurred herein; and for all other good and proper relief to which he may be entitled, whether or not specifically requested herein.

Respectfully submitted,

**TYLER LINDSEY, Individually and on
Behalf of all Others Similarly
Situating, PLAINTIFF**

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